Charleston District, Army Corps of Engineers 69-A Hagood Avenue Charleston, South Carolina 29403

August 29, 2013 Joint Permit Application Public Notice

Millbrook Plantation Ltd Partnership, 2013-00837-2G

The Department has received an application for a permit for the alteration of a critical area. The application was submitted pursuant to the Coastal Zone Management Act (Act 123) of 1977 South Carolina General Assembly. The application in brief, is described as follows:

LOCATION:

On and adjacent to Minim Creek & Atlantic Intracoastal Waterway at 241 Annadale Rd., Georgetown, Georgetown County, South Carolina.

TMS: 01-1011-008-00-00.

WORK:

The work as proposed consists of performing excavation in the wetlands for construction of borrow canals and placing the excavated fill material in wetlands for construction of two embankments (cross-dikes); the installation of four spillway boxes with 25' bulkheads and 8; wingwalls for stabilization and the installation of one rice trunk for increased water circulation in an existing impoundment. The applicant also seeks to install a 200' vinyl bulkhead with riprap at the end of the structure for erosion control of the existing embankment on Minim Creek. The proposed total impacts to waters of the US are approximately 12.75 acres and are all within the existing managed tidal impoundments with the exception of the proposed bulkhead on Minim Creek. The work as described is for improved water circulation, improved and diversified habitats for wildlife species, improved management ability and to minimize impacts from the failure of the perimeter embankment.

This public notice is being distributed to all known interested persons and agencies to assist in developing facts on which a decision by the Department can be based. Comments concerning the proposed work must be submitted in writing, setting forth sufficient detail to furnish a clear understanding of the reasons for support or opposition.

Comments regarding this application must be received by the Department on or before September 28, 2013. For more information, please contact Chris Stout at 843-238-4528 or via email at stoutcm@dhec.sc.gov.

NOTE:

Plans depicting the proposed work are available and will be provided upon receipt of a written request or may be viewed on the Department website at

www.scdhec.gov/environment/ocrm/public_notice.htm.

JOINT PUBLIC NOTICE

CHARLESTON DISTRICT, CORPS OF ENGINEERS 69A Hagood Avenue Charleston, South Carolina 29403-5107 and the

S.C. DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL OFFICE OF OCEAN AND COASTAL RESOURCE MANAGEMENT
1362 McMillan Avenue, Suite 400
Charleston, South Carolina 29405

REGULATORY DIVISION

Refer to: P/N #

2013-00837-2G

8 AUGUST 2013

Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), Sections 401 and 404 of the Clean Water Act (33 U.S.C. 1344), and the South Carolina Coastal Zone Management Act (48-39-10 et.seq.) an application has been submitted to the Department of the Army and the S.C. Department of Health and Environmental Control by

MILLBROOK LIMITED PARTNERSHIP
C/O JAMES RADER
DUCKS UNLIMITED, INC
3294 ASHLEY PHOSPHAT E ROAD, SUITE 2A
NORTH CHARLESTON, SC 29418

for a permit to perform excavation and place fill material in wetlands; install water control structures with wing walls and bulkheads; and install a sheet pile bulkhead with rip rap in an existing managed tidal impoundment adjacent to

MINIM CREEK AND THE ATLANTIC INTRACOASTAL WATERWAY (AIWW)

at a location, within the existing impoundments of Annandale Plantation, located off of North Santee Road, off of US Highway 17 North, near Georgetown, Georgetown County, South Carolina. (Latitude 33.200278° - Longitude -79.283009°)

In order to give all interested parties an opportunity to express their views

NOTICE

is hereby given that written statements regarding the proposed work will be received by the Corps until

15 Days from the Date of this Notice,

from those interested in the activity and whose interests may be affected by the proposed work.

The proposed work consists of performing excavation in wetlands for construction of borrow canals and placing the excavated fill material in wetlands for construction of two embankments (cross-dikes); installation of four spillway boxes with 25' bulkheads and 8' wing walls for stabilization; and installation of one rice trunk for increased water circulation and

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management capabilities in the existing impoundment. In addition, the applicant proposes to install 200 linear feet of vinyl sheet pile bulkhead with rip rap stabilization at the end of the structure for erosion control of the existing embankment on Minim Creek. The proposed total impacts to waters of the U.S. are approximately 12.75 acres, all within the existing managed tidal impoundments except for the sheet pile bulkhead on Minim Creek as shown on the attached To minimize potential impacts the proposed work will be conducted in the dry and drawdown in the late winter and early spring. The applicant will perform the proposed work with a long reach excavator on tracks using wooden mats for stability. In addition, all fill material will be obtained from within the managed tidal impoundment fields and the embankment construction and canal excavation will be conducted simultaneously. Due to the nature of the proposed work which is management of the existing impoundments; since the project is being performed with grant money from the North America Wetland Conservation Act (NAWCA); the project is consistent with the habitat goals for The North American Waterfowl Management Plan, South Atlantic Migratory Bird Initiative and the Atlantic Coast Joint Venture; and since Annandale Plantation is protected under a conservation easement with Wetlands America Trust, the applicant has not proposed compensatory mitigation for the proposed work. The purpose of the proposed work as stated by the applicant is for enhancement of water circulation capability; improvement and diversification of habitats within the managed tidal impoundment for wildlife species; improved management capability, and minimization of negative impacts from failure of the perimeter embankment.

NOTE: Plans depicting the work described in this notice are available and will be provided, upon receipt of a written request, to anyone that is interested in obtaining a copy of the plans for the specific project. The request must identify the project of interest by public notice number and a self-addressed stamped envelope must also be provided for mailing the drawings to you. Your request for drawings should be addressed to the

U.S. Army Corps of Engineers ATTN: REGULATORY DIVISION 69A Hagood Avenue Charleston, South Carolina 29403-5107

The District Engineer has concluded that the discharges associated with this project, both direct and indirect, should be reviewed by the South Carolina Department of Health and Environmental Control in accordance with provisions of Section 401 of the Clean Water Act. As such, this notice constitutes a request, on behalf of the applicant, for certification that this project will comply with applicable effluent limitations and water quality standards. The work shown on this application must also be certified as consistent with applicable provisions the Coastal Zone Management Program (15 CFR 930). The District Engineer will not process this application to a conclusion until such certifications are received. The applicant is hereby advised that supplemental information may be required by the State to facilitate the review.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Implementation of the proposed project would impact (12.75) acres of estuarine substrates and emergent wetlands utilized by various life stages of species comprising the red drum, shrimp, and snapper-grouper management complexes. Our initial determination is that the proposed action would not have a substantial individual or cumulative adverse impact on EFH or fisheries managed by the South Atlantic Fishery Management Council and the National Marine Fisheries Service (NMFS). Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

The District Engineer has consulted the most recently available information and has determined that the project will have no effect on any federally endangered, threatened, or proposed species and will not result in the destruction or adverse modification of designated or proposed critical habitat. This public notice serves as a request to the U.S. Fish and Wildlife Service and the National Marine Fisheries Service for any additional information they may have on whether any listed or proposed endangered or threatened species or designated or proposed critical habitat may be present in the area which would be affected by the activity, pursuant to Section 7(c) of the Endangered Species Act of 1973 (as amended).

Pursuant to Section 106 of the National Historic Preservation Act (NHPA), this public notice also constitutes a request to Indian Tribes to notify the District Engineer of any historic properties of religious and cultural significance to them that may be affected by the proposed undertaking.

In accordance with the NHPA, the District Engineer has also consulted the latest published version of the National Register of Historic Places for the presence or absence of registered properties, or properties listed as being eligible for inclusion therein. This worksite is included as a registered property in the National Register. The nature of the proposed work is for management and maintenance of the existing impoundments which has been ongoing in these existing impoundments since they were created. In addition, if these existing impoundments are not maintained, they will no longer exist. Therefore, the Charleston District has determined that the proposed work will have "no potential to cause effect" on the historic property. To insure that other cultural resources that the District Engineer is not aware of are not overlooked, this public notice also serves as a request to the State Historic Preservation Office to provide any information it may have with regard to historic and cultural resources.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest and will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency (EPA), under authority of Section 404(b) of the Clean Water Act and, as appropriate, the criteria established under authority of Section 102 of the Marine Protection, Research and Sanctuaries Act of 1972, as amended. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the project must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the project will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production and, in general, the needs and welfare of the people. A permit will be granted unless the District Engineer determines that it would be contrary to the public interest. In cases of conflicting property rights, the Corps of Engineers cannot undertake to adjudicate rival claims.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this project. To

REGULATORY DIVISION

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make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

If there are any questions concerning this public notice, please contact Mary Hope Green at 843-329-8044 or toll free at 1-866-329-8187.

GEORGETOWN COUNTY, SOUTH CAROLINA UNLIMITED MILLBROOK PLANTATION LIMITED ANNANDALE PLANTATION **PARTINERSHIP** OWNED BY DUCKS



PROJECT, LOCATION



- LAN VIEW SPILLWAY BOX 1-ECTION VIEW SPILLWAY BOX PLAN VIEW SPILLWAY BOX *
- WATER CONTROL STRUCTURE DETAILS PLAN VIEW RICE TRUNK #
- BULKHEAD SECTION VIEW BULKHEAD DETAILS SUMMARY OF IMPACTS BULKHEAD PLAN VIEW

"THIS DRAWING FOR PERMIT PURPOSES ONLY.
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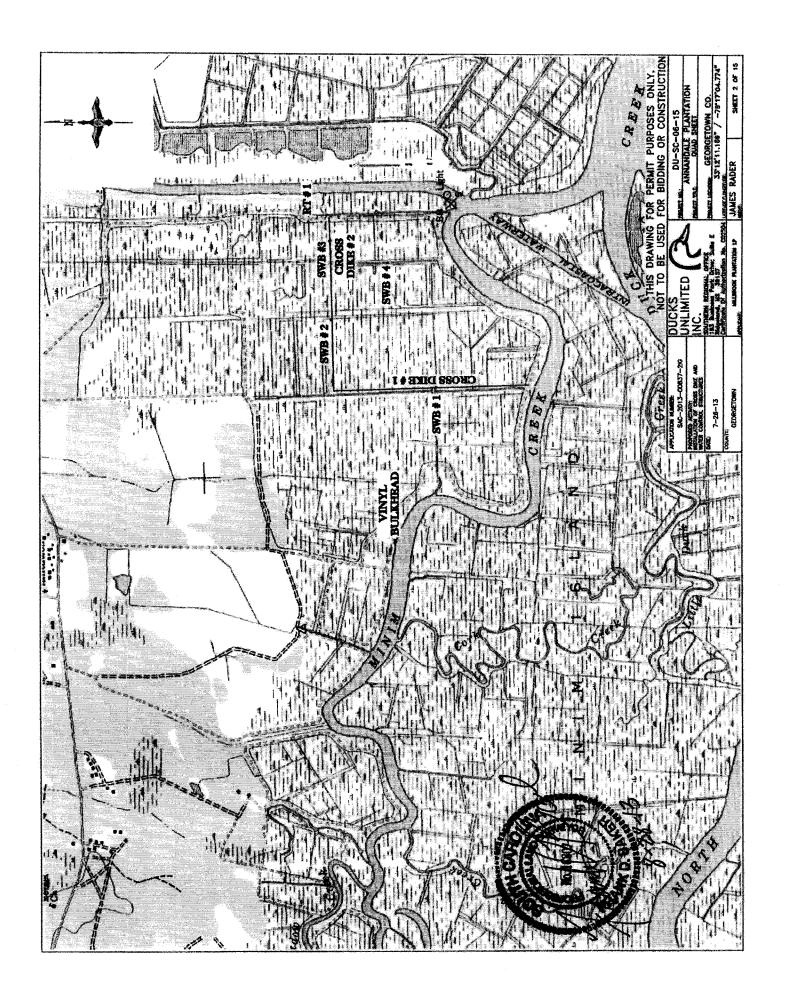
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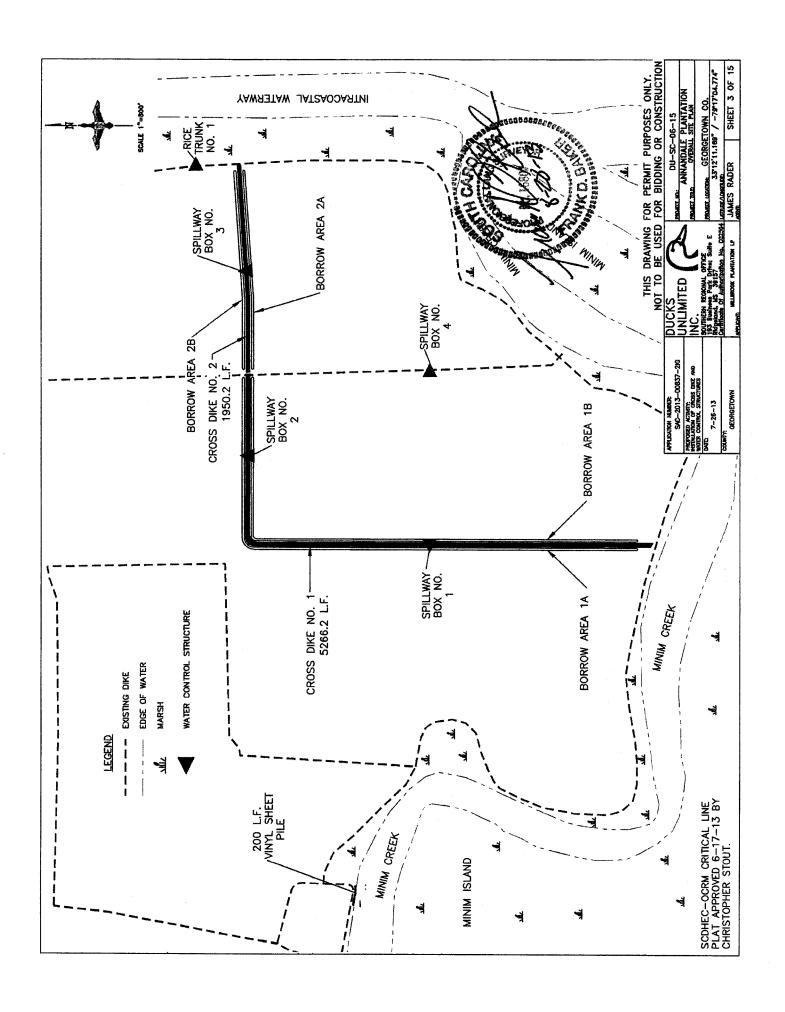
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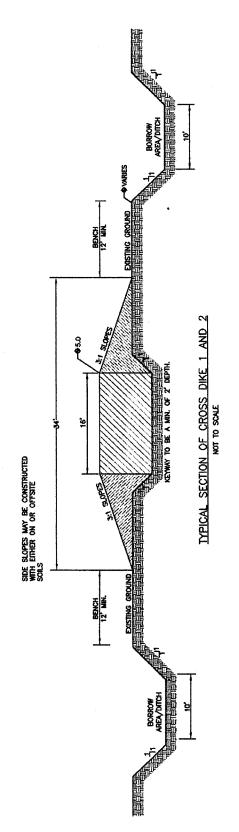
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DU-SC-06-15
ANNANDALE PLANTATION
OMERALL SIT PLAN

SCDHEC-OCRM CRITICAL LINE PLAT APPROVED 6-17-13 BY CHRISTOPHER STOUT.







CROSS DIKE NO. 1 IMPACTS
CROSSDIKE NO. 1 4.61 AC. / 22,430 CYD BORROW AREA 1A
2.37 AC./14,488 CYD
BORROW AREA 1B 2.31 AC. / 14,005 CYD

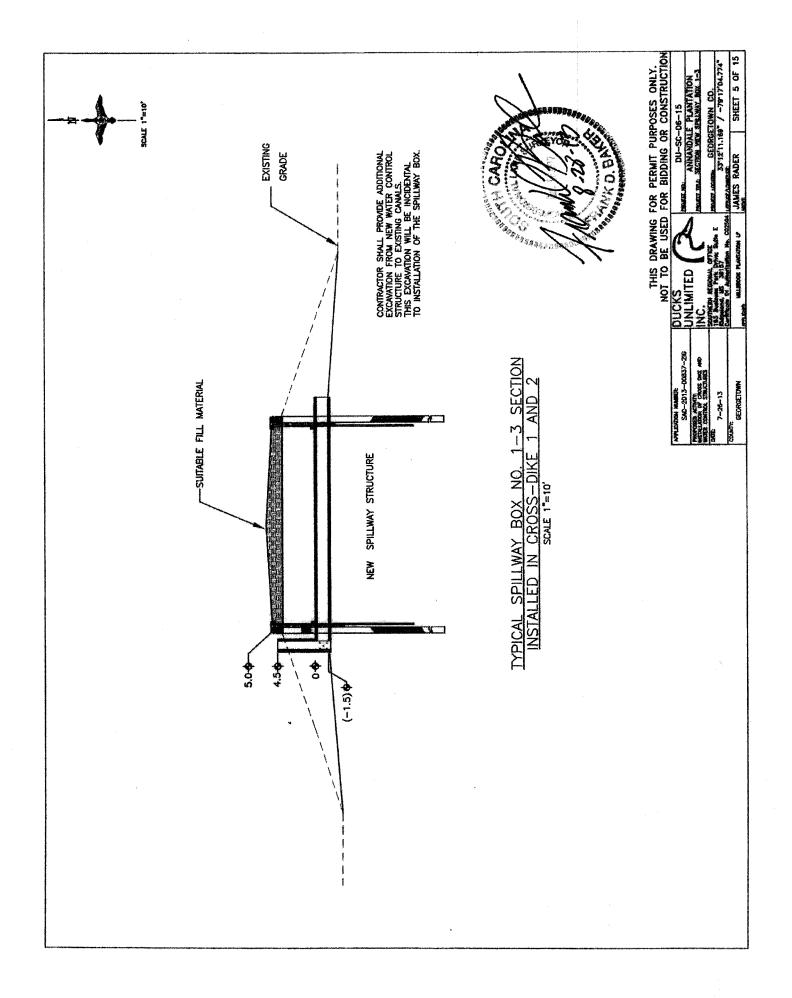
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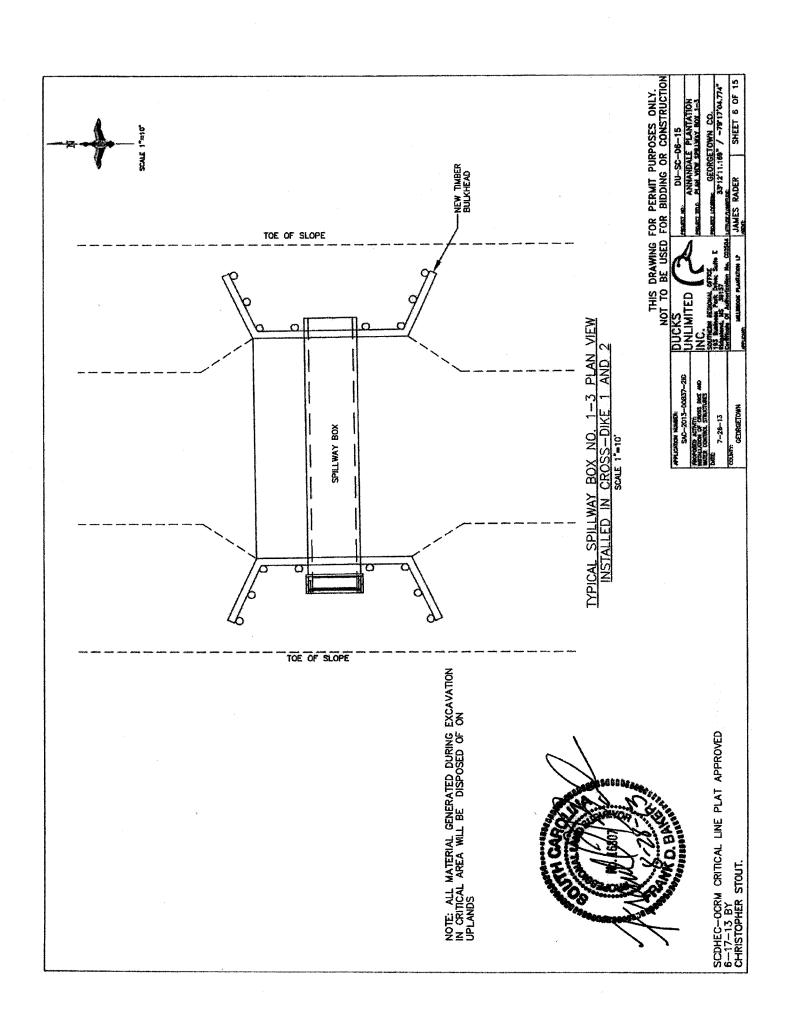


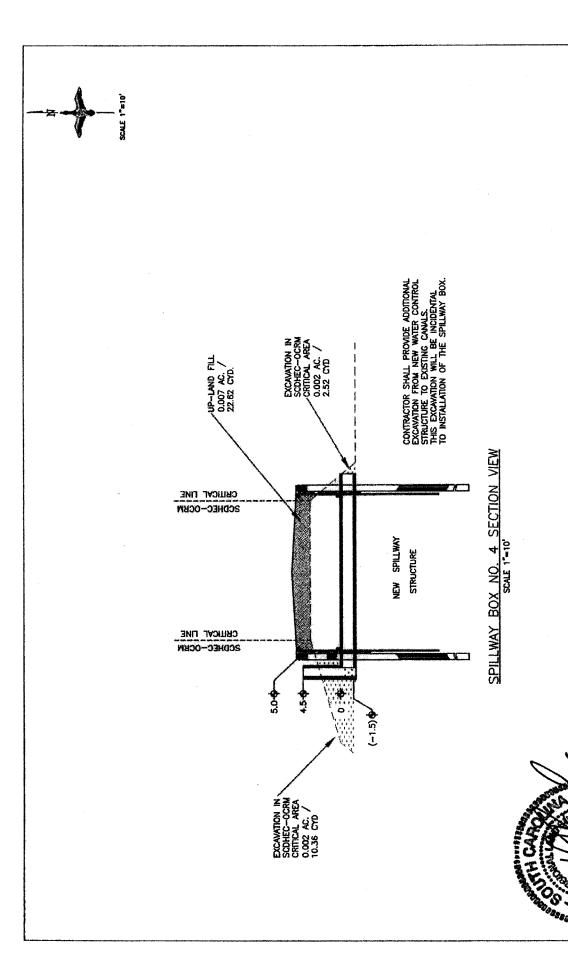
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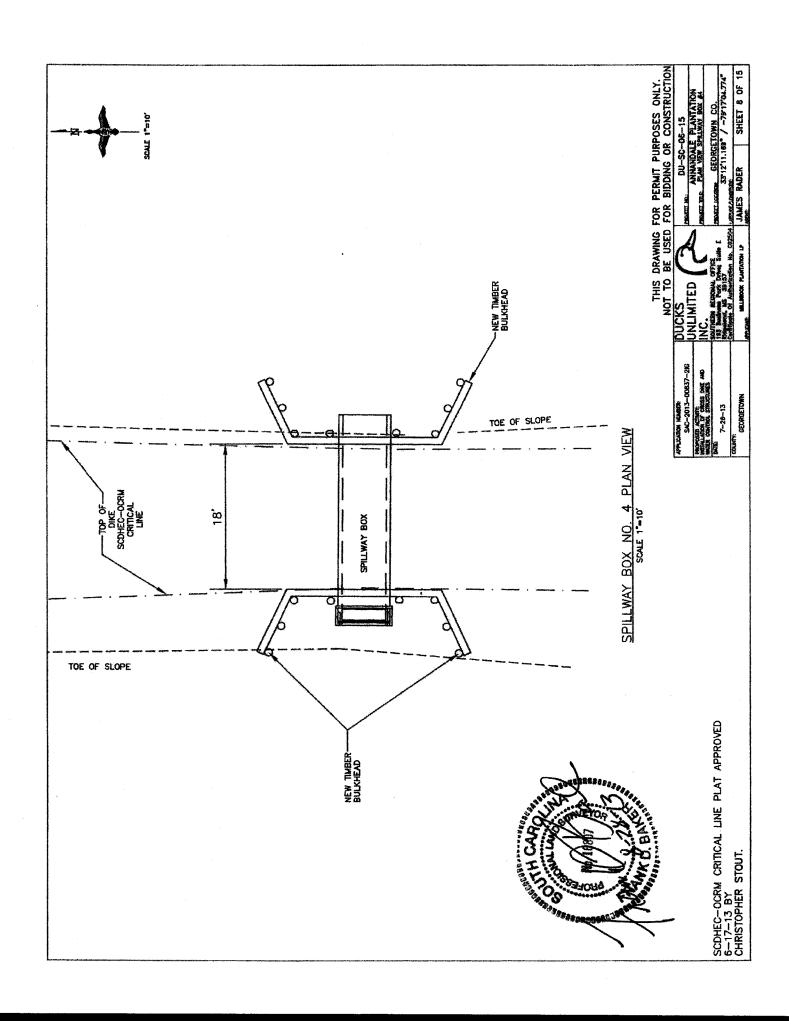


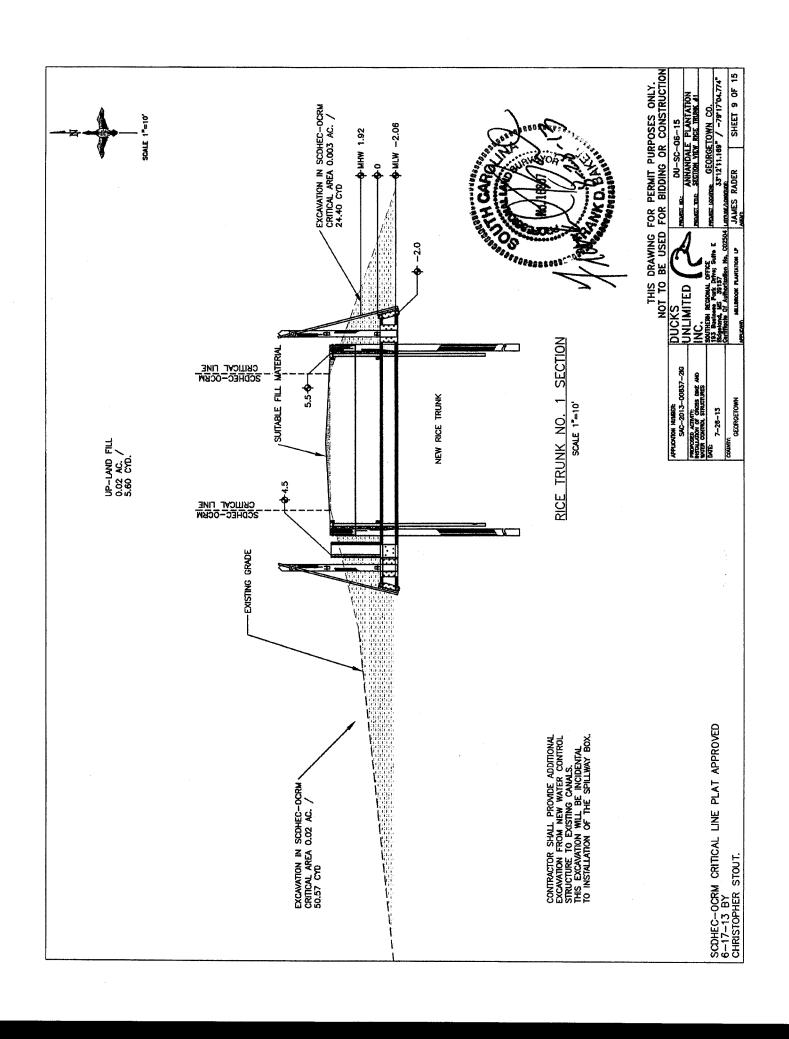


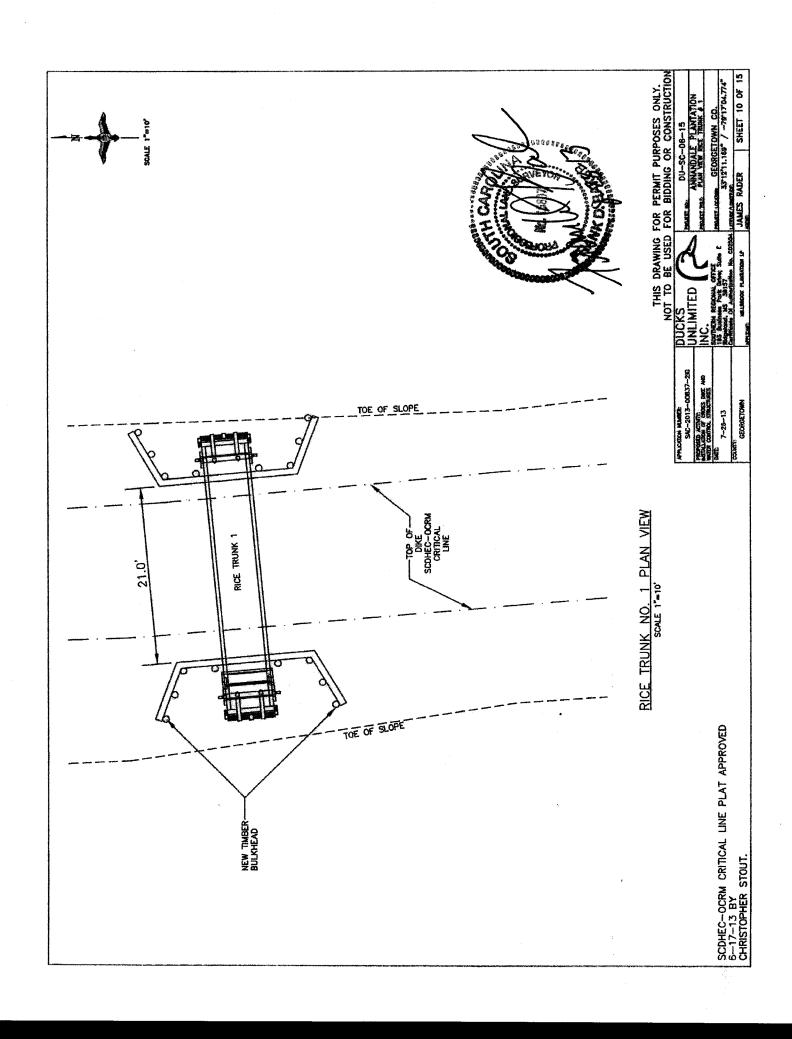
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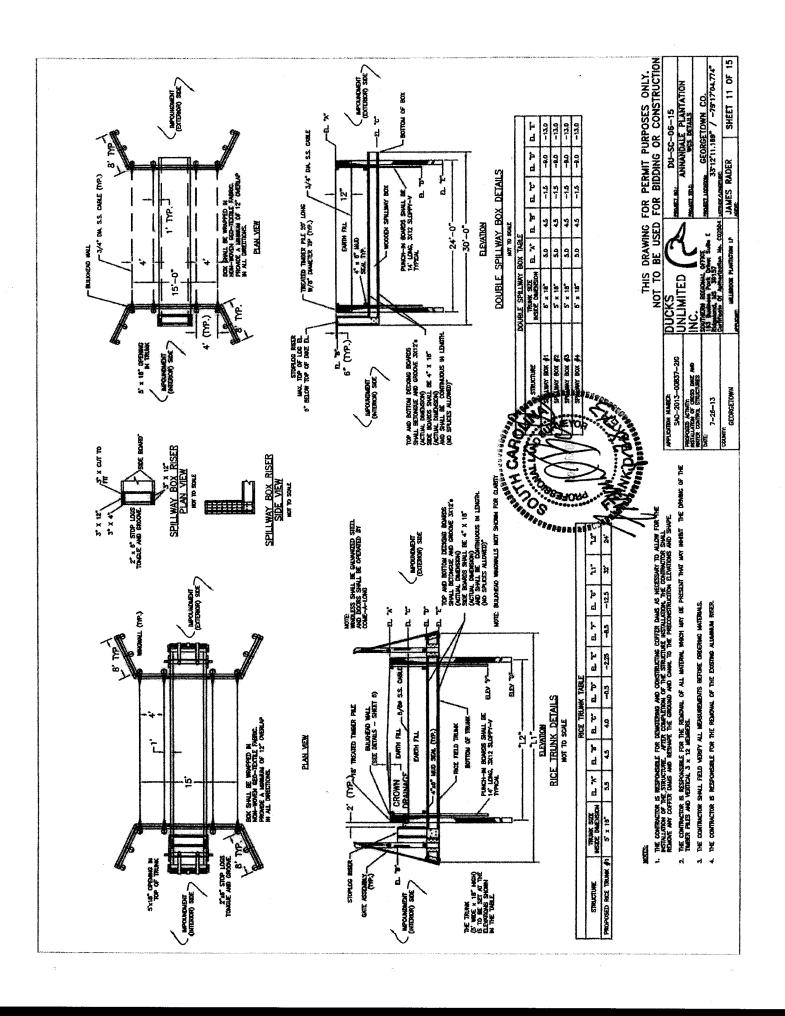
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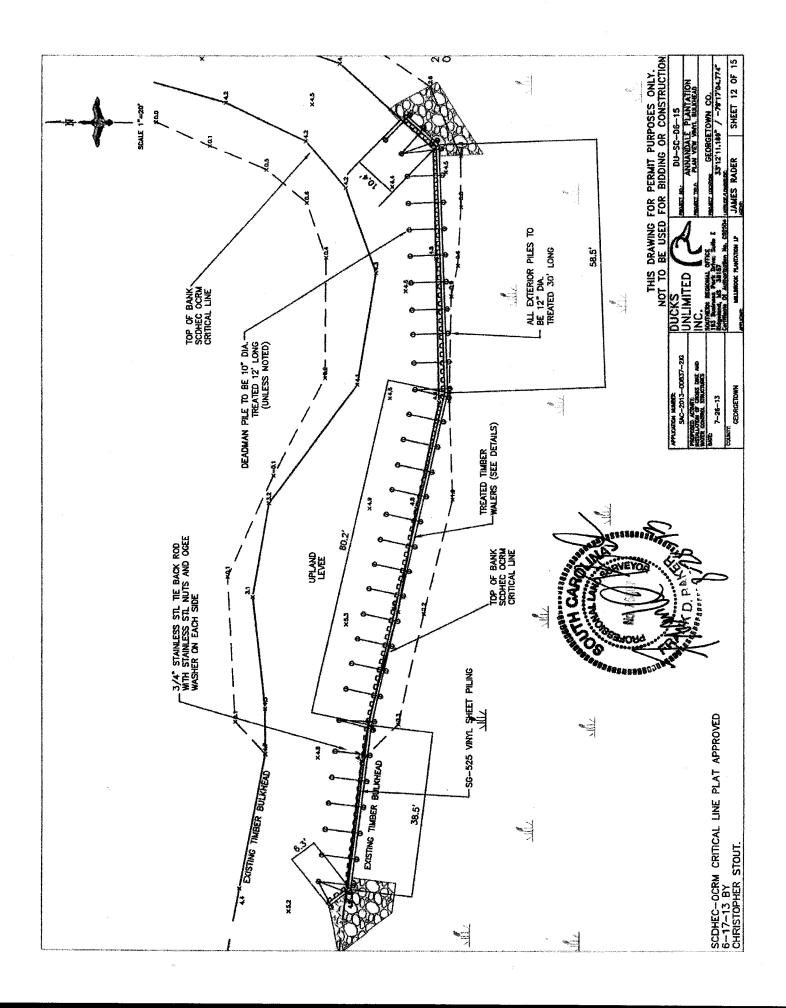
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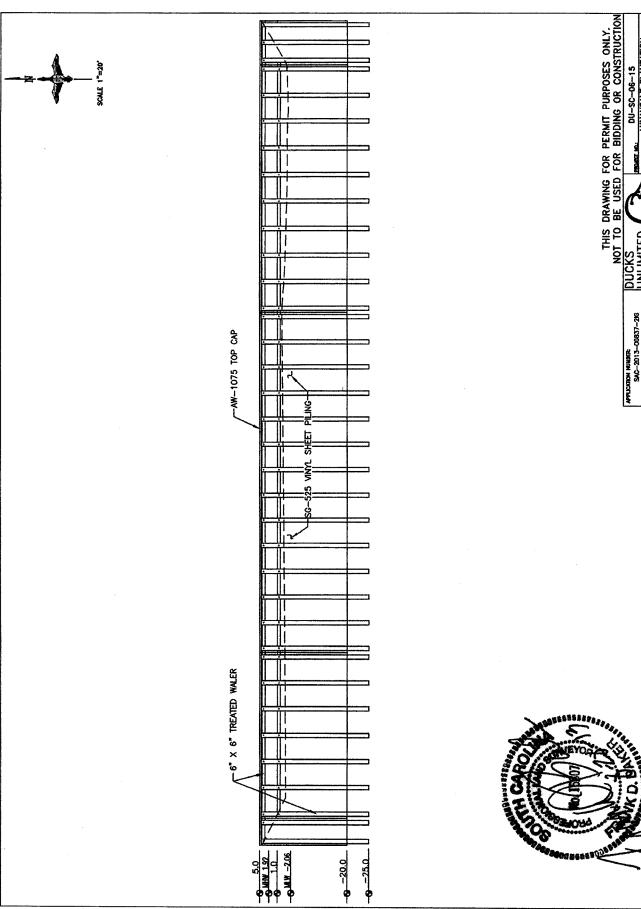






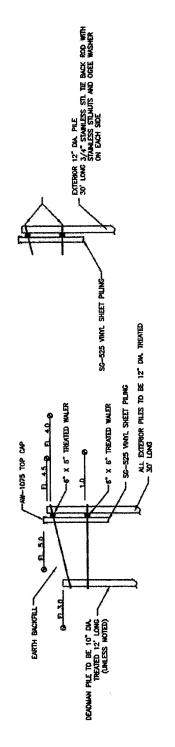




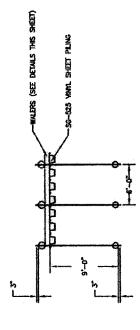


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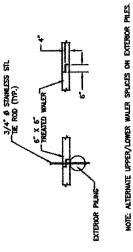




TYPICAL DETAILS OF 25' VINYL SHEET PILING & CORNER TIE BACKS NOT TO SOULE



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NOT TO SCALE

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WASHER (TPC.)

10' 6 WOOD PILHG

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COMPR	JAMES RADER	RADER SHEET 14 OF 15

SUMMARY OF IMPACTS

CROSS—DIKE NO._1 FILL IN CRITICAL AREA : 4.61 AC. / 22,430 CYD EXCAVATION IN SCDHEC—OCRM CRITICAL AREA: 4.68 AC. / 28,473 CYD

CROSS-DIKE NO. 2 FILL IN CRITICAL AREA: 1.71 AC. / 8,306 C/D EXCAVATION IN SCDHEC-OCRM CRITICAL AREA: 1.72 AC. / 10,396 C/D

SPILLWAY BOX 1 THRU 3 FILL IN CRITICAL AREA : 0.00 EXCAVATION IN SCDHEC-OCRM CRITICAL AREA: 0.00

SPILLWAY BOX 4
UPLAND FILL: 0.07 AC. / 22.62 CYD
FILL IN CRITICAL AREA: 0.00
EXCAVATION IN SCDHEC-OCRM CRITICAL AREA: 0.004 AC / 22.62 CYD 0.00

RICE TRUNK NO. 1 UPLAND FILL: 0.02 AC. / 5.65 CYD FILL IN CRITICAL AREA: 0.00 EXCAVATION IN SCDHEC-OCRM CRITICAL AREA: 0.023 AC / 74.97 CYD 0.00

VINYL BULKHEAD
UPLAND FILL: 0.01 AC. / 74.1 CYD
FILL IN CRITICAL AREA: 0.007 AC/ 24 CYD
EXCAVATION IN SCDHEC-OCRM CRITICAL AREA: 0.00

PROJECT TOTAL
UPLAND FILL: 0.10 / 102.37 C/D
FILL IN CRITICAL AREA: 6.327 AC/ 30,760 C/D
EXCAVATION IN SCDHEC-OCRM CRITICAL AREA: 6.427 AC / 38,966.59



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